

AN ACT
RELATING TO THE NURSING WORKFORCE INCLUDING THE ESTABLISHMENT
OF AN IOWA NEEDS NURSES NOW INITIATIVE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. NEW SECTION. 84A.11 Nursing workforce data clearinghouse.

1. a. The department of workforce development shall establish a nursing workforce data clearinghouse for the purpose of collecting and maintaining data from all available and appropriate sources regarding Iowa's nursing workforce.

b. The department of workforce development shall have access to all data regarding Iowa's nursing workforce collected or maintained by any state department or agency to support the data clearinghouse.

c. Information maintained in the nursing workforce data clearinghouse shall be available to any state department or agency.

2. The department of workforce development shall consult with the board of nursing, the department of public health, the department of education, and other appropriate entities in developing recommendations to determine options for additional data collection.

3. The department of workforce development, in consultation with the board of nursing, shall adopt rules pursuant to chapter 17A to administer the data clearinghouse.

4. The nursing workforce data clearinghouse shall be established and maintained in a manner consistent with the health care delivery infrastructure and health care workforce resources strategic plan developed pursuant to section 135.164.

5. The department of workforce development shall submit a report to the governor and the general assembly, annually by January 15, regarding the nursing workforce data clearinghouse,

and, following establishment of the data clearinghouse, the status of the nursing workforce in Iowa.

Sec. 2. Section 135.175, subsection 1, paragraph a, Code Supplement 2009, is amended to read as follows:

a. A health care workforce support initiative is established to provide for the coordination and support of various efforts to address the health care workforce shortage in this state. This initiative shall include the medical residency training state matching grants program created in section 135.176, the nurse residency state matching grants program created in section 135.176A, the health care professional and ~~nursing workforce shortage~~ Iowa needs nurses now initiative created in sections 261.128 and 261.129, the safety net provider recruitment and retention initiatives program created in section 135.153A, health care workforce shortage national initiatives, and the physician assistant mental health fellowship program created in section 135.177.

Sec. 3. Section 135.175, subsection 3, Code Supplement 2009, is amended to read as follows:

3. The department and any entity identified in this section as having control over any of the accounts within the fund, may receive contributions, grants, and in-kind contributions to support the purposes of the fund and the accounts within the fund. Not more than five percent of the moneys allocated to any account within the fund may be used for administrative costs.

Sec. 4. Section 135.175, subsection 5, paragraph b, Code Supplement 2009, is amended to read as follows:

b. The health care professional and ~~nurse workforce shortage~~ Iowa needs nurses now initiative account. The health care professional and ~~nurse workforce shortage~~ Iowa needs nurses now initiative account shall be under the control of the college student aid commission created in section 261.1 and the moneys in the account shall be used for the purposes of the health care professional incentive payment program and the ~~nurse workforce shortage~~ Iowa needs nurses now initiative as specified in sections 261.128 and 261.129. Moneys in the

account shall consist of moneys appropriated or allocated for deposit in or received by the fund or the account and specifically dedicated to the health care professional and ~~nurse workforce shortage~~ Iowa needs nurses now initiative or the account for the purposes of the account.

Sec. 5. Section 135.175, subsection 5, Code Supplement 2009, is amended by adding the following new paragraphs:

NEW PARAGRAPH. *f.* The Iowa needs nurses now infrastructure account. The Iowa needs nurses now infrastructure account shall be under the control of the department and the moneys in the account shall be used to award grants in accordance with rules adopted by the department, in consultation with the board of nursing, the department of education, and a statewide association that represents nurses specified by the director, pursuant to chapter 17A, for clinical simulators, laboratory facilities, health information technology, and other infrastructure to improve the training of nurses and nurse educators in the state and to enhance the clinical experience for nurses. Grants awarded shall authorize the use of a reasonable portion of the grant moneys for training in the use of the infrastructure purchased with the grant moneys. Moneys in the account shall consist of moneys appropriated or allocated for deposit in or received by the fund or the account and specifically dedicated to the Iowa needs nurses now infrastructure account for the purposes of the account.

NEW PARAGRAPH. *g.* The nurse residency state matching grants program account. The nurse residency state matching grants program account shall be under the control of the department and the moneys in the account shall be used for the purposes of the nurse residency state matching grants program as specified in section 135.176A. Moneys in the account shall consist of moneys appropriated or allocated for deposit in or received by the fund or the account and specifically dedicated to the nurse residency state matching grants program account for the purposes of such account.

Sec. 6. Section 135.175, subsection 6, paragraph a, Code

Supplement 2009, is amended to read as follows:

a. Moneys in the fund and the accounts in the fund shall only be appropriated in a manner consistent with the principles specified and the strategic plan developed pursuant to sections 135.163 and 135.164 to support the medical residency training state matching grants program, the nurse residency state matching grants program, the health care professional incentive payment program, ~~the nurse educator incentive payment and nursing faculty fellowship programs~~ Iowa needs nurses now initiative, the safety net recruitment and retention initiatives program, for national health care workforce shortage initiatives, for the physician assistant mental health fellowship program, for the purposes of the Iowa needs nurses now infrastructure account, and to provide funding for state health care workforce shortage programs as provided in this section.

Sec. 7. NEW SECTION. 135.176A Nurse residency state matching grants program — repeal.

1. The department shall establish a nurse residency state matching grants program to provide matching state funding to sponsors of nurse residency programs in this state to establish, expand, or support nurse residency programs that meet standards adopted by rule of the department. Funding for the program may be provided through the health care workforce shortage fund or the nurse residency state matching grants program account created in section 135.175. The department, in cooperation with the Iowa board of nursing, the department of education, Iowa institutions of higher education with board of nursing-approved programs to educate nurses, and the Iowa nurses association, shall adopt rules pursuant to chapter 17A to establish minimum standards for nurse residency programs to be eligible for a matching grant that address all of the following:

a. Eligibility requirements for and qualifications of a sponsor of a nurse residency program to receive a grant, including that the program includes both rural and urban components.

- b.* The application process for the grant.
- c.* Criteria for preference in awarding of the grants.
- d.* Determination of the amount of a grant.
- e.* Use of the funds awarded. Funds may be used to pay the costs of establishing, expanding, or supporting a nurse residency program as specified in this section, including but not limited to the costs associated with residency stipends and nursing faculty stipends.

2. This section is repealed June 30, 2014.

Sec. 8. Section 261.2, subsection 10, Code Supplement 2009, is amended to read as follows:

10. Administer the health care professional incentive payment program established in section 261.128 and the ~~nursing workforce shortage~~ Iowa needs nurses now initiative created in section 261.129. This subsection is repealed June 30, 2014.

Sec. 9. Section 261.128, subsection 1, Code Supplement 2009, is amended to read as follows:

1. The commission shall establish a health care professional incentive payment program to recruit and retain health care professionals in this state. Funding for the program may be provided through the health care workforce shortage fund or the health care professional and ~~nurse workforce shortage~~ Iowa needs nurses now initiative account created in section 135.175.

Sec. 10. Section 261.129, Code Supplement 2009, is amended to read as follows:

261.129 ~~Nursing workforce shortage~~ Iowa needs nurses now initiative — repeal.

1. *Nurse educator incentive payment program.*

a. The commission shall establish a nurse educator incentive payment program. Funding for the program may be provided through the health care workforce shortage fund or the health care professional and ~~nurse workforce shortage~~ Iowa needs nurses now initiative account created in section 135.175. For the purposes of this subsection, “*nurse educator*” means a registered nurse who holds a master’s degree or doctorate degree and is employed as a faculty member who teaches nursing

in a nursing education program as provided in 655 IAC 2.6 at a community college, an accredited private institution, or an institution of higher education governed by the state board of regents.

b. The program shall consist of incentive payments to recruit and retain nurse educators. The program shall provide for incentive payments of up to twenty thousand dollars for a nurse educator who remains teaching in a qualifying teaching position for a period of not less than four consecutive academic years.

c. The nurse educator and the commission shall enter into an agreement specifying the obligations of the nurse educator and the commission. If the nurse educator leaves the qualifying teaching position prior to teaching for four consecutive academic years, the nurse educator shall be liable to repay the incentive payment amount to the state, plus interest as specified by rule. However, if the nurse educator leaves the qualifying teaching position involuntarily, the nurse educator shall be liable to repay only a pro rata amount of the incentive payment based on incompleting years of service.

d. The commission, in consultation with the department of public health, the board of nursing, the department of education, and the Iowa nurses association, shall adopt rules pursuant to chapter 17A relating to the establishment and administration of the nurse educator incentive payment program. The rules shall include provisions specifying what constitutes a qualifying teaching position.

2. Nursing faculty fellowship program.

a. The commission shall establish a nursing faculty fellowship program to provide funds to nursing schools in the state, including but not limited to nursing schools located at community colleges, for fellowships for individuals employed in qualifying positions on the nursing faculty. Funding for the program may be provided through the health care workforce shortage fund or the health care professional and ~~nurse workforce shortage~~ the Iowa needs nurses now initiative account

created in section 135.175. The program shall be designed to assist nursing schools in filling vacancies in qualifying positions throughout the state.

b. The commission, in consultation with the department of public health, the board of nursing, the department of education, and the Iowa nurses association, and in cooperation with nursing schools throughout the state, shall develop a distribution formula which shall provide that no more than thirty percent of the available moneys are awarded to a single nursing school. Additionally, the program shall limit funding for a qualifying position in a nursing school to no more than ten thousand dollars per year for up to three years.

c. The commission, in consultation with the department of public health, the board of nursing, the department of education, and the Iowa nurses association, shall adopt rules pursuant to chapter 17A to administer the program. The rules shall include provisions specifying what constitutes a qualifying position at a nursing school.

d. In determining eligibility for a fellowship, the commission shall consider all of the following:

(1) The length of time a qualifying position has gone unfilled at a nursing school.

(2) Documented recruiting efforts by a nursing school.

(3) The geographic location of a nursing school.

(4) The type of nursing program offered at the nursing school, including associate, bachelor's, master's, or doctoral degrees in nursing, and the need for the specific nursing program in the state.

3. Nurse educator scholarship program.

a. The commission shall establish a nurse educator scholarship program. Funding for the program may be provided through the health care workforce shortage fund or the health care professional and the Iowa needs nurses now initiative account created in section 135.175. The goal of the nurse educator scholarship program is to address the waiting list of qualified applicants to Iowa's nursing schools by providing

incentives for the training of additional nursing educators. For the purposes of this subsection, "nurse educator" means a registered nurse who holds a master's degree or doctorate degree and is employed as a faculty member who teaches nursing in a nursing education program as provided in 655 IAC 2.6 at a community college, an accredited private institution, or an institution of higher education governed by the state board of regents.

b. The program shall consist of scholarships to further advance the education of nurses to become nurse educators. The program shall provide for scholarship payments in an amount established by rule for students who are preparing to teach in qualifying teaching positions.

c. The commission, in consultation with the department of public health, the board of nursing, the department of education, and the Iowa nurses association, shall adopt rules pursuant to chapter 17A relating to the establishment and administration of the nurse educator scholarship program. The rules shall include provisions specifying what constitutes a qualifying teaching position and the amount of any scholarship.

4. Nurse educator scholarship-in-exchange-for-service program.

a. The commission shall establish a nurse educator scholarship-in-exchange-for-service program. Funding for the program may be provided through the health care workforce shortage fund or the health care professional and Iowa needs nurses now initiative account created in section 135.175. The goal of the nurse educator scholarship-in-exchange-for-service program is to address the waiting list of qualified applicants to Iowa's nursing schools by providing incentives for the education of additional nursing educators. For the purposes of this subsection, "nurse educator" means a registered nurse who holds a master's degree or doctorate degree and is employed as a faculty member who teaches nursing in a nursing education program as provided in 655 IAC 2.6 at a community college, an accredited private institution, or an institution of higher

education governed by the state board of regents.

b. The program shall consist of scholarships to further advance the education of nurses to become nurse educators. The program shall provide for scholarship-in-exchange-for-service payments in an amount established by rule for students who are preparing to teach in qualifying teaching positions for a period of not less than four consecutive academic years.

c. The scholarship-in-exchange-for-service recipient and the commission shall enter into an agreement specifying the obligations of the applicant and the commission. If the nurse educator leaves the qualifying teaching position prior to teaching for four consecutive academic years, the nurse educator shall be liable to repay the scholarship-in-exchange-for-service amount to the state plus interest as specified by rule. However, if the nurse educator leaves the qualified teaching position involuntarily, the nurse educator shall be liable to repay only a pro rata amount of the scholarship based on incomplete years of service.

d. The receipt of a nurse educator scholarship-in-exchange-for-service shall not impact eligibility of an individual for other financial incentives including but not limited to loan forgiveness programs.

e. The commission, in consultation with the department of public health, the board of nursing, the department of education, and the Iowa nurses association, shall adopt rules pursuant to chapter 17A relating to the establishment and administration of the nurse educator scholarship-in-exchange-for-service program. The rules shall include the provisions specifying what constitutes a qualifying teaching position and the amount of any scholarship-in-exchange-for-service.

~~3.~~ 5. Repeal. This section is repealed June 30, 2014.

Sec. 11. BOARD OF NURSING — DATA COLLECTION REGARDING NURSING WORKFORCE. The board of nursing shall replace its existing database and data platform to allow for the maintenance of archival information and enhanced public access and shall

update its nursing survey instrument to ensure the collection of more complete and usable data in assessing Iowa's nursing workforce.

Sec. 12. CODE EDITOR DIRECTIVE. The Code editor shall amend the title of the division in chapter 261, which includes section 261.129, as amended in this Act, as the Iowa needs nurses now initiative.

Sec. 13. IMPLEMENTATION. This Act shall be implemented only to the extent funding is available.

JOHN P. KIBBIE
President of the Senate

PATRICK J. MURPHY
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2384, Eighty-third General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved _____, 2010

CHESTER J. CULVER
Governor